IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No. 16169 of 2004

Between:

Silver Kistaiah, S/o.late S.Ganganna,
R/o.D.No.8-3-229/D/1/14, Near Community Hall, Venkatagiri,
Hyderabad – 500045.

..... PETITIONER

AND

1 The Deputy Commissioner of Police, Women Protection Cell, Central
Crime Station, Saifabad, Near Lal Bahadur Stadium, Hyderabad.
2 The Inspector of Police, Women Protection Police Station,
Central Crime Station, Saifabad, Near Lal Bahadur Stadium,
Hyderabad.
3 Sri Amith Garg, Deputy Commissioner of Police,
Women Protection Cell, Central Crime Station, Saifabad,
Near Lal Bahadur Stadium, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction, more particularly one in the nature of Writ of Habeas Corpus directing the respondent Police to cause production of the petitioner's sister by name Smt.Surineeda Lakshmi, W/o Narasimha, aged about 40 years, R/o. Durga Estates, near Suchitra Electronics, Jeedimetla, Hyderabad before this Court in person who is in illegal custody of the Respondent Police since 9.00 p.m. of
05-09-2004 and to declare the action of the Respondent-Police as illegal, arbitrary, unconstitutional and against to the principles of natural justice.

Counsel for the Petitioner : Mr.B.CHINNAPA REDDY (Not present)

Counsel for Respondents : THE ADVOCATE GENERAL

The Court at the admission stage made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

None for the petitioner.

Petition is filed seeking a direction for production of the petitioner's sister, Surineeda Lakshmi, wife of Narasimha, aged 4o years who is alleged to be in illegal custody of the police.

Counter affidavit has been filed by first respondent stating that on the criminal complaint filed before XII Metropolitan Magistrate, Mahila Court, Hyderabad, by Smt.Sandhya, against the petitioner, her sister-in-law, brother-in-law etc., Crime No.597 of 2003 was registered on 6-12-2003. We are not concerned with the other details.

As per the affidavit of the respondents, there is no illegal detention of the petitioner's sister. We have no reason to disbelieve the version stated by the respondents and since there is no representation on behalf of the petitioner, we dismiss the petition.

DEVINDER GUPTA, C.J.

24th September 2004.

C.V.RAMULU, J.

ARS

To

1 The Deputy Commissioner of Police, Women Protection Cell, Central
Crime Station, Saifabad, Near Lal Bahadur Stadium, Hyderabad.
2 The Inspector of Police, Women Protection Police Station,
Central Crime Station, Saifabad, Near Lal Bahadur Stadium,
Hyderabad.
3 Sri Amith Garg, Deputy Commissioner of Police,
Women Protection Cell, Central Crime Station, Saifabad,
Near Lal Bahadur Stadium, Hyderabad.
4 Two CCs to the Advocate General, High Court Buildings,
Hyderabad (OUT).
5 Two C.D. copies.